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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,643	11/02/2000	Vojin Jeremijevic	Q61622	8866

7590 01/29/2003

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EXAMINER

GHAFOORIAN, ROZ

ART UNIT	PAPER NUMBER
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3763

DATE MAILED: 01/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/674,643

Applicant(s)

JEREMIJEVIC, VOJIN

Examiner

Roz Ghafoorian

Art Unit

3763

--Th MAILING DATE of this communication appears on th cover sheet with th correspond nce address --

THE REPLY FILED 15 January 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s).
10. ☐ Other: \_\_\_\_\_

  
MICHAEL J. HAYES  
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: the applicant argument for reconsideration of claims 1-14,22-36 are not persuasive, the applicant alleges the hing 50 in Dombrowski is not resilient, however the defination of resilient in the dictionary is "ability to adjust easily" and hing 50 must be able to adjust easily when sleeve 36 is moving form first position in figure 2 to second position in figure 3, if hing 50 was no able to adjust easily when sleeve moved it would lead to seperation of hing 50 and sleeve 36. furthermore Dombrowski does teach several position, one position is when the needle bevel is exposed (fig 2) the second position is when the needle bevel is coverd (fig3) and the 3rd position is in between fig 2 and fig 3 when sleeve is in route to cover the needle bevel. applicant acuses the examiner in not examining the sturcture close enough to see the difference between the prior art and the applicants invention, however that is false Dombrowski's apparatus might not use the same names the applicant has selected to use in his invention however Dombrowski's invention consists of same structures that perform the same fuction the applicants invention is performing. therefore rejection regarding claims 1-14, 22-36 are deemed proper and are hence maintained .

claims 15-22 are allowable if submitted in a separate, timely filed amendment canceling the non-allowable claims . upon furthure search the examiner has located pertenent art relating to claim 15, such as US Patent No.5256125 to Marks, US Patent No.6443929 to Kurancia et al, US Patent No.5304151 to Kuracina.